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BOOK REVIEWS

The Law of Conversion. By Renzo D. Bowers. Published by Little, Brown & Co., Boston. 1917. pp. lx, 583.

No book can please all men; it would seem praise enough to most to say that they do one thing well. Mr. Bowers has arranged his book more handily for reference than has any other legal author whose work we have seen—no slight advantage in a work intended primarily for the practitioner. His table of contents is remarkably clear and full; his digesting is reasonably accurate; he cites American decisions plentifully and, in the main, to the point. If in his treatment he does not give us the benefit of that study of legal history which proved to him that his subject was “of rather ancient origin,” it may be he makes up for that by industry in collecting the cases in this country.

The thought of a book on the law of conversion was a happy one. It is a vexed and troublesome field, both in its *what* and in its *why*. It is well worth careful treatment as a unit. And we agree with Mr. Bowers that the principles involved have become no less distinct and definite because modern procedure has merged trover with the simple civil action; our regret is rather that those principles have become no more distinct and definite by reason of his book. It is many years now since Bishop hazarded his view that one desirable feature of a text-book was to grapple with difficulties, “to overcome them if it can, and to state the result, either that the principle is so and so, or that the author cannot ascertain what it is.” Co-ordination, clean presentation of difficulties, reasoned solution of them, are strikingly rare in Mr. Bowers’ treatise. But when in the future the true work on the law of conversion appears, its author will have found much of the drudging material-collection done for him in advance; meanwhile the present volume will serve the practicing lawyer as a ready guide to the authorities.

KARL N. LLEWELLYN

A Treatise on the Law of Inheritance Taxation. By Lafayette B. Gleason and Alexander Otis. Published by Matthew Bender & Co., Albany. 1917. pp. lviii, 836.

Law-books do not as a rule present striking points of individuality. This treatise is, however, somewhat of an innovation in several ways. For one thing, the absence of footnotes gives the pages an appearance unfamiliar to one accustomed to the ordinary law-book. The absence of notes does not indicate an omission of the citation of authorities; these are simply inserted in the text at the places where the note-figures would normally appear. This innovation is clearly an improvement in the matter of eliminating the eye-strain involved in transferring the attention from the middle to the bottom of the page and back again; on the other hand, it tends to some extent to break the continuity of the text. It will be interesting to observe how this feature is received by the legal profession.

Another point of departure from the traditional form of a law-book appears in the table of cases. Instead of being arranged in a single alphabetical list, it is split up into thirty-seven different alphabets arranged by jurisdictions, beginning with New York and ending with the United States and England.

Such an arrangement is no doubt useful from the standpoint of one interested primarily in a particular state, but it might cause considerable inconvenience to a lawyer looking for a particular case with which he is familiar by name and subject-matter, but not by jurisdiction beyond the fact that it was a western case.

Apart from such marks of individuality in the matter of form, this treatise would attract attention by the clearness and simplicity of its style and by frequent evidence that consideration has been given to the economic as well as to the legal principles involved in the subject. The general outline of the work is logical and appears to be carefully worked out in detail. To anyone interested in inheritance taxes, whether as lawyer or as layman, this treatise forms an important addition to the literature of the subject.

W. H. McCLENON

WASHINGTON, D. C.

Joseph H. Choate: New Englander, New Yorker, Lawyer, Ambassador. By Theron G. Strong. Published by Dodd, Mead & Co., New York. 1917. pp. xvii, 390.

The author of this biography was well qualified for the work that he undertook. Himself of legal lineage, of New England stock, and of high standing at the New York Bar, he had already trained his pen when writing his reminiscences. In his *Landmarks of a Lawyer's Lifetime* he has preserved for posterity a record of the appearance and peculiarities of the noted New York lawyers of his day.

The book which he has now published was written with the approval of his subject, who gave him much material. Not the least valuable of this is the sketch of the Choate family with its record of the simple intellectual life characteristic of the aristocracy of New England until it was supplanted by the plutocracy of the twentieth century. Much of the book was evidently written while Mr. Choate was living. This is apparent in the chapter describing him as a lawyer; this speaks as if he were alive (p. 135), and it contains the only error that the reviewer has been able to discover, a reference to Rufus Choate as the uncle of Joseph. That was the general belief of the bar, and consequently the reference must have been written before the author secured the information contained in an earlier chapter as to the degree of kinship. The author's modesty has made him omit something which would have increased the value of the book to the student of history,—the addition of notes to his accounts of the various trials, with references to the descriptions of the opposing counsel contained in his *Landmarks of a Lawyer's Lifetime*.

The narrative is clear and full of interesting quotations from speeches and cross-examinations. There is a refreshing absence of those letters which are the filling and the bane of most biographies. The book is written in that perfect taste which is the concomitant of high breeding. The eulogy is discriminating and nowhere exaggerated, and the limitations of the hero are stated with justice in language that can offend no one. The arrangement is not chronological, but the incidents are skillfully grouped in the different phases of the career of that great advocate. For as an advocate, Joseph H. Choate was great: greater than any of his time. He usually avoided a retainer in criminal cases, and with the exception of the contempt proceeding before Judge Smyth, he never, so far as the reviewer has been able to ascertain, appeared in any except those which affected the validity of combinations of capital or the culpability of corporations; the case which decided the unconstitutionality of the federal income tax